

#### OFFICE OF THE LIEUTENANT GOVERNOR

### **CERTIFICATE OF ANNEXATION**

I, SPENCER J. COX, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, HEREBY CERTIFY THAT there has been filed in my office a notice of annexation from TOWN OF HIDEOUT, dated June 14<sup>th</sup>, 2018, complying with Section 10-2-425, Utah Code Annotated, 1953, as amended.

NOW, THEREFORE, notice is hereby given to all whom it may concern that the attached is a true and correct copy of the notice of annexation, referred to above, on file with the Office of the Lieutenant Governor pertaining to TOWN OF HIDEOUT, located in Wasatch County, State of Utah.

1847

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed the Great Seal of the State of Utah this 16<sup>th</sup> day of July, 2018 at Salt Lake City, Utah.

SPENCER J. COX Lieutenant Governor



July 11, 2018

### Via Email and Hand Delivery

The Honorable Spencer J. Cox Lieutenant Governor Utah State Capitol 350 N. State Street, Suite 220 annexations@utah.gov

Re: NOTICE OF IMPENDING BOUNDARY ACTION

Deer Springs Subdivision

Dear Lt. Governor Cox:

Notice is hereby given pursuant to Utah Code § 10-2-425(1)(a) that on June 14, 2018, the Town Council ("Council") of the Town of Hideout, Utah approved the annexation of a portion of Wasatch County adjacent to the Town of Hideout. The ordinance memorializing the Council's approval of the annexation is enclosed with this letter. The process that led to the Council's approval of the annexation was initiated under Utah Code § 10-2-401 et seq. An annexation plat signed by a professional land surveyor and the Wasatch County surveyor, together with a legal description of the property to be annexed is also enclosed with this letter. This boundary action will not result in the creation of a local entity, and thus a letter from the Utah State Retirement office is not required with this notice under Utah Code § 67-1a-6.5(3)(d).

The undersigned hereby certifies that all notices and other requirements applicable to annexations under Utah Code § 10-2-401 et seq. have been satisfied.

By this notice, the Town of Hideout respectfully requests that the Lt. Governor's Office issue a certificate of annexation recognizing the inclusion of the area identified on the enclosed plat into the Town of Hideout as provided under Utah Code § 10-2-425 and Utah Code § 67-1a-6.5(2)(a).

Very truly yours,

TOWN OF HIDEOUT

Philip J. Rubin, Mayor

# **TOWN OF HIDEOUT, UTAH**

Ordinance No. 2018- 02

AN ORDINANCE ANNEXING APPROXIMATELY 97.90 ACRES OF PROPERTY LOCATED WEST OF SR 248 INTO THE MUNICIPAL LIMITS OF THE TOWN OF HIDEOUT, UTAH, AND APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE ANNEXED PROPERTY

WHEREAS, the owners of certain parcels of real property as described below and identified on <a href="Exhibit A"><u>Exhibit A</u></a> ("Property") adjacent to the Town of Hideout have petitioned to be annexed into the Town of Hideout or have joined such petition; and

WHEREAS, Western States Ventures, LLC ("Developer"), intends to develop the Property as a residential subdivision to be known as Deer Springs ("Subdivision")

WHEREAS, the Property consists of approximately 97.80 acres and is located adjacent to, and northwest of, the current municipal boundaries; and

WHEREAS, the Town Council accepted the petition for further consideration at a duly noticed public meeting of the Town Council held on January 11, 2018, and the Town Clerk subsequently certified the petition under Utah Code § 10-2-405; and

WHEREAS, the Town Council finds that the annexation of the Property is consistent with Annexation Policy Plan adopted by the Town of Hideout; and

WHEREAS, notice of the proposed annexation has been given under Utah Code § 10-2-406; and

WHEREAS, the Wasatch County Council and the Wasatch County Fire District protests to the annexation petition under Utah Code § 10-2-407; and

WHEREAS, no other protests were filed by any other person or entity having protest rights under Utah Code § 10-2-407; and

WHEREAS, the protests filed by the Wasatch County Council and the Wasatch County Fire District were subsequently withdrawn; and

WHEREAS, on June 14, 2018, after the protests were withdrawn, the Town Council held a duly noticed public hearing ("Hearing") to discuss the proposed annexation and heard public comment; and

WHEREAS, at the Hearing the Town Council voted to approve the annexation of the Property subject to the negotiation, and approval by the Mayor, of a *Master Development Agreement for Deer Springs Community* ("MDA") incorporating the public feedback received at the Hearing and which is approved by the Mayor; and

WHEREAS, the Town of Hideout and the Developer have negotiated the terms of the MDA, pursuant to which the Property will be developed and the MDA has been approved by the Mayor; and

WHEREAS, a fully executed copy of the approved MDA is attached hereto as **Exhibit B**.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Hideout, Utah, as follows:

- <u>Section 1 Recitals Incorporated.</u> The foregoing recitals are hereby incorporated into this Ordinance as findings of fact.
- <u>Section 2 Property</u>. The Property which is subject to the annexation petition consists of Wasatch County Parcel Nos. 00-0007-2004, 00-0013-6221, 00-0007-1964, and 00-0020-3848.
- <u>Section 3 Approval of Petition</u>. The Town Council approves the petition to annex the Property, as identified on <u>Exhibit A</u>, into the Town of Hideout, subject to the following terms and conditions:
  - 3.1 Zone. Notwithstanding anything in the Town Code to the contrary, the Town Council determines that good cause exists for the Property to be included within the "Mountain Zone" as that term is identified in Section 11.01.101 et seq. of the Town Code.
  - 3.2 Planned Performance Development. The Subdivision to be developed on the Property will be designated as a "Planned Performance Development" as that term is used identified in Section 11.07.124 of the Town Code.
  - 3.3-MDA. The MDA shall be recorded against the Property and shall run with the land and the terms and conditions thereof shall be binding on the Property, all subdivided portions thereof, and the owners of the Property according to its terms.

<u>Section 4 – Conditions</u>. This Ordinance, and the annexation identified herein, will become effective only when the following conditions are satisfied: (a) the MDA, in substantially the form set forth in <u>Exhibit B</u> hereto, is recorded against the Property; and (b) all items required to be filed with the Lieutenant Governor of the state of Utah under of Utah Code § 10-2-425 have been filed, and all documents required to be recorded under such section have been recorded, and all other requirements of such section have been satisfied.

<u>Section 5 – Effective Date</u>. This Ordinance will be effective when it has been published, as provided by law, and all the Conditions set forth in Section 4 have been satisfied.

WHEREFORE, Ordinance 2018-02 has been **Passed** and **Adopted** by the Town of Hideout.

**TOWN OF HIDEOUT** 

Philip Rubin, Mayor

Attest:

# EXHIBIT A

(Description of Annexation Property)

A parcel of land lying and situate in Section 7, and the South Half of Section 6, Township 2 South, Range 5 East, Salt Lake base and Meridian. Basis of bearing for subject parcel being South 89°04'46" West 2641.14 feet measured with the north line of the Northeast Quarter of said Section 7. Subject parcel being more particularly described as follows:

Commencing at the Northeast Corner of Section 7, Township 2 South, Range 5 East, Salt Lake Base and Meridian, thence South 89°04'46" West 2094.25 feet to a point on the southwesterly Right of Way line of SR 248 and the True Point of Beginning:

Thence the following three (3) courses coincident with said right of way

- 1) South 48°59'43" East 465.48 feet; 2) South 65°52'29" East 259.50 feet to a point of curvature;
- 3) Southerly 286.49 feet along the arc of a 3709.27 foot radius curve to the right (center bears South 48°39'09" West) through a central angle of 04°25'31"; Thence departing said right of way North 66°35'25" East 71.73 feet to a point on the extant corporate limits of Hideout Town; Thence the following three (3) courses coincident with said corporate limits
- 1) South 23°24'35" East 1340.24 feet; 2) South 25°29'35" East 538.64 feet;
- 3) South 26°23'32" West 505.11; ; Thence the following ten (10) courses coincident with Tax Parcel 00-0007-2004 and the prolongation thereof,
- 1) North 88°03'26" West 366.84 feet; 2) North 11°18'22" East 459.43;
- 3) North 81°59'52" West 8.62 feet; 4) North 78°32'09" West 38.85 feet;
- 5) North 89°38'58" West 53.64 feet; 6) North 81°33'13" West 326.73 feet;
- 7) North 83°24'39" West 154.75 feet; 8) North 85°09'53" West 155.77 feet;
- 9) South 00°34'00" West 516.71 feet; 10) North 88°02'03" West 850.24 feet to the easterly right of way line of Jordanelle Parkway; Thence the following eight (8) courses, coincident with the easterly right of way line of said Parkway, 1) North 62°53'59" East 171.88 feet to a point of curvature; 2) Northerly 973.14 feet along the arc of a 598.69 foot radius curve to the left (center bears North 27°06'01" West) through a central angle of 93°07'52" to a point of tangency; 3) North 30°13'53" West 228.80 feet to a point of curvature: 4) Northerly 528.29 feet along the arc of a 930.37 foot radius curve to the right (center bears North 59°46'07" East) through a central angle of 32°32'03" to a point of tangency; 5) North 02°18'10" East 427.16 feet to a point of curvature; 6) Northerly 99.71 feet along the arc of a 741.78 foot radius curve to the left (center bears North 87°41'50" West) through a central angle of 07°42'07" to a point of compound curvature; 7) Northwesterly 437.16 feet along the arc of a 537.50 foot radius curve to the left (center bears South 84°36'03" West) through a central angle of 46°35'59" to a point of reverse curvature; 8) Northwesterly 438.88 feet along the arc of a 1005.37 foot radius curve to the right (center bears North 38°00'07" East) through a central angle of 25°00'42"; Thence departing said right of way North 62°56'24" East 48.90 feet along a radial line to a point on the westerly boundary of Tax Parcel 00-0013-6221; Thence the following five (5) courses coincident with the perimeter of said parcel 1) Northwesterly 106.28 feet along the arc of a 955.37 foot radius curve to the right (center bears North 62°56'24" East) through a central angle of 06°22'27" to a point of tangency; 2) North 20°41'09" West 282.00 feet; 4) North 69°08'44" East 50.00 feet; 5) South 20°41'09" East 87.08 feet; 6) North 45°03'33" East 105.29 feet to a point on the westerly right of way of SR-248; Thence the following two (2) courses coincident with said right of way 1) South 56°09'40" East 687.17 feet; 2) South 48°59'43" East 232.71 feet to the point of beginning.

A parcel of land lying and situate in the North Half of Section 7, and the Southeast Quarter of Section 6, Township 2 South, Range 5 East, Salt Lake base and Meridian. Basis of bearing for subject parcel being South 89°04'46" West 2641.14 feet measured with the north line of the Northeast Quarter of said Section 7. Subject parcel being more particularly described as follows:

Commencing at the North Quarter Corner of Section 7, Township 2 South, Range 5 East, Salt Lake Base and Meridian, thence South 89°06'24" West 503.97 feet to the True Point of Beginning:

Thence North 04°23'00" East 499.65 feet coincident with the west line of Wasatch County Tax Parcel 00-0020-3848; Thence North 69°18'51" East 1.49 fee to a point on the westerly right of way line of Jordanelle Parkway: Thence following seven (7) courses, coincident with the westerly right of way line of said Parkway, 1) Southerly 6.90 feet along the arc of a 594.78 foot radius curve to the right (center bears South 69°19'56" West) through a central angle of 00°39'54" to a point of tangency; 2) South 20°00'11" East 263.39 feet to a point of curvature; 3) Southerly 603.31 feet along the arc of a 1080.37 foot radius curve to the left (center bears North 69°59'49" East) through a central angle of 31°59'45" to a point of reverse curvature; 4) Southerly 376.16 feet along the arc of a 462.50 foot radius curve to the right (center bears South 38°00'04" West) through a central angle of 46°35'59" to a point of compound curvature: 5) Southerly 89.63 feet along the arc of a 666.78 foot radius curve to the right (center bears South 84°36'03" West) through a central angle of 07°42'07" to a point of tangency; 6) South 02°18'10" West 427.16 feet to a point of curvature; 7) Southerly 43.39 feet along the arc of a 1005.37 foot radius curve to the left (center bears South 87°41'50" East) through a central angle of 02°28'22" to a point of curvature; Thence departing said westerly right of way South 89°53'38" West 83.72 feet coincident with the south boundary of said Wasatch County Tax Parcel 00-0007-1964; Thence the following two (2) courses coincident with the west boundary of said Tax Parcel, 1) North 28°16'22" West 135.68 feet; 2) North 26°20'22" West 1114.00 feet to the point of beginning.

Contains 391,297 sq. ft. or 8.98 acres

A parcel of land lying and situate in the Southwest Quarter of Section 6, Township 2 South, Range 5 East, Salt Lake base and Meridian. Basis of bearing for subject parcel being South 89°04'46" West 2641.14 feet measured coincident with the south line of the Southwest Quarter of said Section 6. Subject parcel being more particularly described as follows:

Commencing at the South Quarter Corner of said Section 6, thence North 33°23'22" West 638.87 feet to the True Point of Beginning;

Thence South 20°41'09" East 20.00 feet; Thence South 69°08'44" West 120.71 feet; Thence North 20°41'09" West 13.10 feet to a point of curvature; Thence Northerly 6.90 feet along the arc of a 594.78 foot radius curve to the right (center bears South 69°19'56" West) through a central angle of 00°39'54"; Thence North 69°08'44" East 120.51 feet to the point of beginning.

Contains 2,412 sq. ft. or 0.06 acres

